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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/674,079	10/25/2000	Jerome Meric	11345.027001	1560

			EXAMINER
22511	7590	11/30/2006	TRAN, HAI V

OSHA LIANG L.L.P.
1221 MCKINNEY STREET
SUITE 2800
HOUSTON, TX 77010

ART UNIT	PAPER NUMBER
2623	

DATE MAILED: 11/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *13 September 2006*.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-43* is/are pending in the application.

    4a) Of the above claim(s) *1-19,27 and 40* is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *20-26,28-39, 41-43* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

        1. ☐ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____.

        3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on

09/13/2006 has been entered.

Response to Arguments

Applicant's arguments filed 09/13/2006 have been fully considered but they are

not persuasive in view of the new ground rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

1. Claims 20-26, and 28-43 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Patterson (US 5801782) in view of Urbanus et al. (US 5519450).

Claim 20, Patterson discloses a method for processing video data in a

receiver/decoder (Col. 3, lines 3-13) comprising:

Patterson discloses various buffers within the system for processing the received Video data (see whole document).

Patterson does not disclose as detailed as claimed , i.e., Designating a 1st buffer sub-area as a display buffer; Designating a 2nd buffer sub-area as a working buffer, wherein the working buffer is reserved for incoming subtitle data comprising at least one subtitle, and wherein a content of the working buffer is constantly changing; Storing subtitle data in the working buffer to obtain a complete subtitle page; Storing graphic data in a 3rd buffer sub-area; and Copying the graphic data from the 3rd buffer sub-area into the working buffer to obtain a complete image; Interchanging role of working buffer and the display buffer such that the complete image is transferred from the working buffer to the display buffer; and Displaying the complete subtitle page, wherein the graphic data is copied into the working buffer just before the working buffer become display buffer, wherein the complete image comprise both the complete subtitle page and the graphic, and wherein the 1st buffer sub-area, the 2nd buffer sub-area, and the 3rd buffer sub-area are distinct buffer sub-areas located in a graphic buffer region.

Urbanus discloses a graphic subsystem for a digital display system with the following limitations

Designating a 1st buffer sub-area as a display buffer (Fig. 1; frame buffer 14 for read-out);

Designating a 2nd buffer sub-area as a working buffer (Fig. 1; frame buffer 14 is being written), wherein the working buffer is reserved for incoming subtitle data

comprising at least one subtitle, and wherein a content of the working buffer is constantly changing (receive incoming subtitle data from 18 and 13);

Storing subtitle data in the working buffer to obtain a complete subtitle page (each buffer frame 14 contains a complete frame wherein the completed frame includes a complete subtitle page/data);

Storing graphic data in a 3rd buffer sub-area (Fig. 1 , el. 18); and

Copying the graphic data from the 3rd buffer sub-area into the working buffer to obtain a complete image (when one of the frame buffer 14 is in written mode, the graphic data from the 3rd buffer sub-area 23 is written into it);

Interchanging role of working buffer and the display buffer such that the complete image is transferred from the working buffer to the display buffer; and

Displaying the complete subtitle page, wherein the graphic data is copied into the working buffer just before the working buffer become display buffer, wherein the complete image comprise both the complete subtitle page and the graphic data (Col. 2, lines 35-Col. 3, lines 26 and Col. 3, lines 62-Col. 4, lines 15), and wherein the 1st buffer sub-area (Frame buffer 14), the 2nd buffer sub-area (frame 14), and the 3rd buffer sub-area (Fig. 2, VRAM 23) are distinct buffer sub-areas located in a graphic buffer region. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Patterson video data processing with Urbanus graphic subsystem so to retain the benefit of digital source data. Specifically, alphanumeric graphic are sharper, as are edges and other features of graphic images, as suggested by Urbanus (Col. 1, lines 50-57).

Claim 21, Urbanus further discloses wherein the 3rd buffer sub-area

comprises a plurality of icon buffer sub-areas (see Fig. 2; Col. 4, lines 5-45);

Claim 22, Urbanus further discloses wherein the graphics data is stored in

any one of the pluralities of icon buffer sub-area (see Fig. 2; Col. 4, lines 5-45);

Claim 23, Urbanus further discloses wherein interchanging roles of the

working buffer and the display buffer occurs at a specific time interval (reads on

when the complete writing process is done in one of the frame buffer 14; i.e. 1st

frame buffer, the system swap memory location between the 1st and 2nd frame

buffer; see Col. 3, lines 14-26).

Claim 24, Urbanus further discloses wherein the specific time interval is in the

range of 5-10sec (it takes some time period for one of the frame buffer 10 to

complete the written process);

Claim 25, Urbanus further discloses wherein displaying the complete image

comprises displaying graphics data over the subtitle data for overlapping portions of

graphics data and subtitle data (Col. 6, lines 18-21);

Claim 26, Urbanus further discloses wherein displaying the complete image comprises displaying non-overlapping portions of graphics data and subtitle data concurrently (Col. 6, lines 18-21);

Claim 28, Urbanus further discloses wherein other received data to be displayed as the complete image is copied into the working buffer immediately after copying the graphics data into the working buffer (Col. 3, lines 6-26).

Claim 29, Patterson in view of Urbanus further discloses wherein the complete image comprises a graphics layer comprising the graphic data and the subtitle data (Urbanus; OSD and CC), a still data layer (graphic data/background), a moving image data layer (video data; Urbanus Col. 4, lines 5-32) and a cursor data layer (inherently have a cursor for navigation the OSD; as disclosed by Urbanus).

Claim 30, Patterson (see Fig. 3) in view of Urbanus further discloses wherein the moving image data layer and the subtitle data comprise at least part of an MPEG data stream;

Claim 31, wherein the graphic data comprise icon data (reads on Urbanus OSD/graphic data);

Claim 32 is analyzed with respect to method claim 20.

Claim 33 is analyzed with respect to method claim 21.

Claim 34 is analyzed with respect to method claim 22.

Claim 35 is analyzed with respect to method claim 23.

Claim 36 is analyzed with respect to method claim 24.

Claim 37 is analyzed with respect to method claim 31.

Claim 38 is analyzed with respect to method claim 25.

Claim 39 is analyzed with respect to method claim 26.

Claim 41 is analyzed with respect to method claim 28.

Claim 42 is analyzed with respect to method claim 29.

Claim 43 is analyzed with respect to method claim 20 in which Patterson

further discloses a broadcast (reads on a broadcaster that transmits the MPEG

transport stream) and a reception system (reads on Fig. 3 that receives the MPEG

transport stream) and means for broadcasting the data (reads on the inherency of a

broadcaster so to transmit the MPEG transport stream).

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Hai Tran whose telephone number is (571) 272-7305.

The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Christopher S. Kelley can be reached on (571) 272-7331. The fax phone

number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

HT:ht
11/22/2006

HAI TRAN
PRIMARY EXAMINER